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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
9

10 United States of America,

11 Plaintiff,

12 v.

13 Kimberly Stamps,

14 Defendant.
15

Case No. 2:23-cr-00015-JCM-MDC

**Unopposed Motion for Release
of Property**

16 Kimberly Stamps, through undersigned counsel, hereby moves for the
17 release of her property—specifically, her passport and passport card—from the
18 custody of the United States Pretrial Services Office for the District of Nevada
19 (Pretrial Services). The government does not oppose this request.

20 On February 1, 2023, the government filed a twelve-count indictment
21 against Ms. Stamps alleging that she committed the offenses of Conspiracy, 18
22 U.S.C. § 1349; Mail Fraud, 18 U.S.C. § 1341; and Wire Fraud, 18 U.S.C. § 1343.
23 Ms. Stamps made her initial appearance on February 15, 2023, and was released
24 pending trial. ECF No. 25. As a condition of her pretrial release, Ms. Stamps was
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1 required to surrender her passport and passport card to Pretrial Services, which
2 she did. ECF No. 33.

3 On October 25, 2024, this court dismissed the indictment against
4 Ms. Stamps without prejudice, based on the government's speedy trial violations.
5 The government reindicted Ms. Stamps on December 3, 2024. *See United States*
6 *v. Stamps*, Case No. 2:24-cr-00258-JAD-DJA, at ECF No. 1.

7 On December 23, 2024, Ms. Stamps was again released pending trial—but
8 this time, the magistrate judge did not require Ms. Stamps to surrender her
9 passport to Pretrial Services. ECF No. 8, 11. The Court imposed the standard
10 conditions of release (that Ms. Stamps not violate any laws, that she cooperate in
11 DNA collection if required, that she appear in court, and that she advise Pretrial
12 Services before changing residence), but it did not impose any additional special
13 conditions of release. *Id.* In releasing Ms. Stamps without special conditions, the
14 magistrate judge recognized that Ms. Stamps committed no pretrial violations
15 whatsoever during the nearly two years she awaited trial on the case before this
16 Court.

17 Ms. Stamps now moves this Court to enter an order directing Pretrial
18 Services to release her passport and passport card from their custody.
19 Undersigned counsel has spoken to Pretrial Services Officer Emily McKillip
20 about this matter, and Officer McKillip has confirmed that Pretrial cannot
21 release Ms. Stamps' property absent an order from this Court. Absent a court
22 order directing the release of Ms. Stamps' passport and passport card, Pretrial
23 Services will have to send Ms. Stamps' property to the State Department.

24 Because the above-captioned case against Ms. Stamps was dismissed, and
25 because Ms. Stamps is not currently under any court order to surrender her
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1 travel documents to Pretrial Services, she is entitled to the return of her
2 property. She therefore respectfully requests that this Court direct the Pretrial
3 Services office for the District of Nevada to release her passport and passport
4 card to her.

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6 DATED: February 21, 2025.

7 Rene L. Valladares
8 Federal Public Defender

9 By: /s/ Joy Chen

10 Joy Chen
11 Assistant Federal Public Defender
12 Counsel for Kimberly Stamps

13 IT IS SO ORDERED. The government does not oppose and the motion is
14 GRANTED. Pretrial Services is directed to release Kimberly Stamps's
15 passport and passport card from their custody to Ms. Stamps.

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18 
19 Hon. Maximiliano D. Couvillier III
20 United States Magistrate Judge
21 Dated: 3-10-25
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